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Fentanyl Crisis in Arizona is Very Real

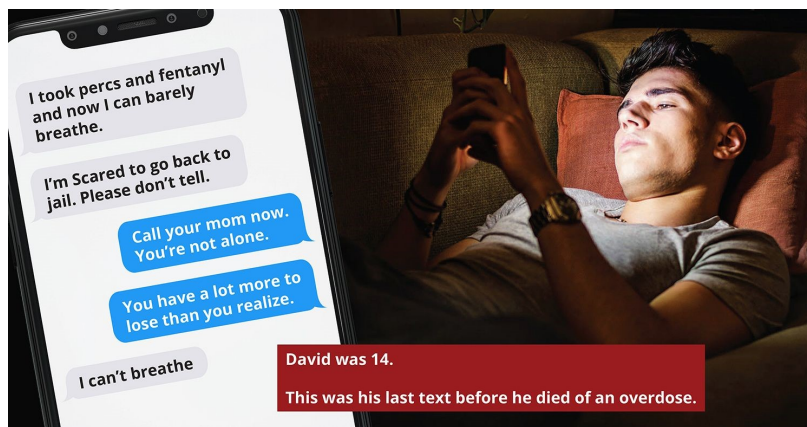
The fentanyl crisis in Arizona is a very significant problem, especially with the rise in deaths among our youth.

For those that may not be familiar with fentanyl, it is a powerful synthetic opioid, similar to morphine but 50 to 100 times more potent. It is prescribed for pain in its prescription form, but fentanyl is also made illegally and distributed as a street drug. Illegal fentanyl is sold as a powder or made into pills that look like real prescription opioids (pain relievers). Fentanyl works by binding to the body's opioid receptors, which are found in areas of the brain that control pain and emotions. Its effects include euphoria, drowsiness, nausea, confusion, constipation, sedation, tolerance, addiction, respiratory depression and arrest, unconsciousness, coma, and death.

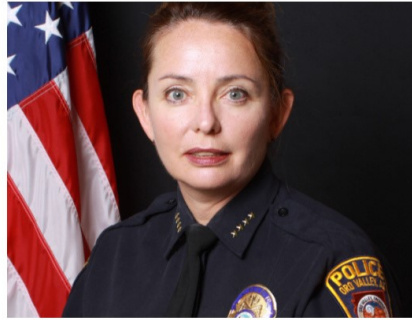
Why is fentanyl a problem in Arizona? Fentanyl is the most common substance found in opioid overdose deaths in Arizona – teens as young as 14 years old have overdosed and died. Illegal fentanyl is being mixed with other drugs, such as cocaine, heroin and methamphetamine. This is especially dangerous because people are often unaware that fentanyl has been added. The high potency of fentanyl greatly increases risk of overdose, especially if a person who uses drugs is unaware that a powder or pill contains it. Naloxone is a medicine that can be given to a person to reverse a fentanyl overdose. Multiple naloxone doses might be necessary because of fentanyl's potency.

More than 20 substance use prevention coalitions from across Arizona are working together in a first-of-its-kind effort to save lives in Arizona. With the alarming rise of fentanyl and counterfeit pill deaths, coalition leaders created a toolkit to aid communities in preventing and reversing overdoses. The toolkit contains educational materials and resources that can be customized for communities and organizations.

To learn more, you can find the resources at the Substance Abuse Prevention Coalition Leaders of Arizona website, SACLAZ.org. Once on the page, click toolkit and then you can download the various prevention resources. The Coalition Leaders would like your help in promoting these prevention messages.



ACJC Announces Five New Commission Members



ACJC welcomes five new members to our Commission. "We are extremely grateful to welcome our new Commission members," said Chairwoman Sheila Polk. "Each one of them provides our Commission with a unique background and perspective, and we look forward to their expertise over the coming term."

Jean Bishop is the Mohave County Supervisor of District 4. Jean's professional career has been in law enforcement in Mohave County for over 30 years, first as a Patrol Sergeant and later as the elected Mohave County Constable.

Pima County Attorney Laura Conover was elected in November 2020. She was raised in Tucson and received her undergraduate degrees in political science and Spanish and a law degree from the University of Arizona. After college, she worked as both a clinical law student, then as an attorney. She then worked for the Federal Public Defenders Office for seven years before establishing her own law practice. She specialized in cases ranging from security clearance matters and criminal defense to helping employers hire former offenders and victim representation. In 2018, the federal judiciary appointed Conover to manage nearly 400 Criminal Justice Act panel attorneys statewide.

Jeffrey Glover is the City of Tempe's Chief of Police and has been a police officer for over 20 years. He is also the City of Tempe's first African American Police Chief. Glover began as a Mesa police officer in 1998, joined Tempe's police department a year later, and has held multiple department roles. He has also served as the Governor-appointed Commissioner on the Arizona Commission for African American Affairs and as a national board member and Arizona chapter member for the National Organization of Black Law Enforcement Executives

Sheriff Chris Nanos was elected to the Pima County Sheriff's Office in January 2021. He was raised in El Paso, Texas, and attended the University of Texas – El Paso, majoring in Public Administration-Criminal Justice. Before being elected as Sheriff, Sheriff Nanos began his career in law enforcement in 1976 with the El Paso Police Department. In 1984, he became a member of the Pima County Sheriff's Department as a corrections officer and was soon promoted to deputy the following year. Sheriff Nanos has a strong emphasis and expertise in Criminal Investigations, particularly Violent Crimes, Sex Crimes, and Narcotics Interdiction. He has moved up the ranks within the Pima County Sheriff's Department through his career, previously serving as Chief Deputy and appointed Sheriff in 2015.

Kara Riley is the Oro Valley Chief of Police and has been in law enforcement since 1992. She replaced Chief Daniel Sharp in February of 2020 when Chief Sharp retired after 40 years of service. Before serving as Chief, Riley was the Commander for Oro Valley for three years. As Commander, she oversaw the Field Services Division for patrol, motors, K-9, SWAT, Negotiations, and the Community Action Team. She also managed the Support Services Division, responsible for criminal investigations, community resources, public safety telecommunicators, fleet, IT, records unit, and taskforces officers. In the past, she served as the Chief's executive officer .



SPOTLIGHT

Arizona's Drug Task Forces

Coconino County—Northern Arizona Street Crimes Task METRO

Since 1987, the Arizona Criminal Justice Commission has provided funding under the Drug, Gang, and Violent Crime Control Grant (DGVCC) to enhance efforts to deter, investigate, prosecute, adjudicate and punish drug offenders. The grant comprises federal, state, and local funding awarded by the Commission each year on a competitive basis. In FY 2020, the Commission awarded \$9.1 million for 35 projects across the state, 14 of which were drug task forces. The overall goal for drug task forces is reducing drug activity or drug-related street gang activity.

In fiscal year 2020, the Northern Arizona Street Crimes Task Force METRO Narcotics Unit was awarded \$283,494.00 in Federal Byrne/JAG funding, state, and local matching funds.

METRO has been in existence for 35 years. The mission of the METRO Unit is to protect life and property by focusing the participating agencies' resources into a coordinated multi-agency effort towards interdiction and prevention of narcotic violations and street crimes, enhancing inter-agency relationships, and maintaining the flexibility to respond to special enforcement or investigative needs as directed by the METRO governing board.

The most significant drug threat that METRO has been addressing is the blue M30 Fentanyl pill originating from Mexico. These counterfeit oxycodone pills contain dangerous levels of fentanyl which have resulted in many deaths across the state. The M30 Fentanyl pills were first introduced into the community in 2018 when an officer with the Flagstaff Police Department located 19 of them on a suspect. The abuse of these counterfeit pills has grown exponentially. In 2020, there were more than 14 overdoses in Coconino County, and METRO seized 22,222 Fentanyl pills.

The DGVCC grant funds the METRO unit in its entirety. METRO has jurisdiction in Coconino County, one of the largest counties in the United States. The funding allows the unit the flexibility to travel when and where they are needed. It also makes it possible for the unit to keep up with the fluctuation in drug prices across the county regarding buying drugs from dealers. The funding helps the unit have the undercover technology needed to prosecute drug offenders and protect METRO agents successfully. It is impossible to pick a few cases the funding has been beneficial with when the funding makes all our investigations possible.

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How Arizona Helps Incarcerated Juveniles Recover from Substance Abuse Issues

Over the course of 24 years, the Arizona Criminal Justice Commission has been administering the Residential Substance Abuse Treatment (RSAT) for Arizona State Prisoners. The program assists states, local, and tribal governments in developing and implementing substance abuse treatment programs for inmates in correctional and detention facilities. Funds are also available to create and maintain community reintegration services for offenders after they are released from incarceration.

In 2020, ACJC granted approximately \$83,000 to the Arizona Department of Juvenile Corrections (ADJC). ADJC funds a Psychology Associate through these grant dollars and provides juveniles with treatment and programming to address substance use disorders. Each year since 2016, nearly 85% of the juveniles committed to ADJC's care have been identified as having a substance use disorder that requires treatment. In FY 2020, 177 juveniles in the department's care were identified as having a substance use disorder. Treatment and programming for youth with substance use issues can include living in a specialized housing unit where programming focuses on substance use and working on coping skills and issues surrounding substance use, complete *Seven Challenges*, an evidence-based, comprehensive substance use disorders program designed for adolescents overseen by licensed mental health professionals, and participating in regular, individual sessions with a licensed Psychology Associate.

The purpose of the RSAT for State Prisoners Program is to break the cycle of drug addiction and violence by reducing the demand for, use, and trafficking of illegal drugs. Through ACJC's grant funding, correctional and detention facilities have the resources to accomplish these goals and assist our incarcerated youth get on the path to healthier lives.

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The Metro unit targets sources of supply and people actively dealing drugs. The unit targets both carrier criminals and street-level dealers. Stolen property, drugs, firearms, prostitution, human trafficking, and various other illegal trafficking operations are all tasks that the Metro unit takes on. This funding makes it possible for the Metro unit to proactively seek out criminal offenders and get them off the street, making communities a safer place.



2021 Legislative Summary

The first regular session of the 55th Arizona State Legislature commenced on January 11th, 2021. In this session, there was a total 1,774 bills, 125 memorials, and resolutions introduced. Of those bills, 474 have been signed by the Governor and 28 have been vetoed. The Arizona Criminal Justice Commission tracked over 116 bills this session that directly impacted criminal justice issues across the state. From the list of bills that we tracked; the Governor signed 26 of them. The Legislature adjourned on June 30, 2021 for a total of 171 days of the session.

The Commission approved and put forward three bills this session, HB2166, HB2158, and HB2260.

HB2166 was the Criminal Justice Commission; Data Collection bill. This bill, as crafted, was initially introduced in 2020 during the pandemic, but did not make it through the process and ultimately died. In 2021, Representative Blackman agreed to reintroduce the bill with the following provisions:

- Designates ACJC at the central collection point for criminal justice data collection.

- Provide ACJC with the authority to require state or local criminal justice agencies to submit information that is currently collected and readily reportable by the agency.

- Creates protections for criminal justice agencies so that data cannot be required unless it:

 - Is statutorily required to comply with a report,

 - Is required for federal or state reporting, or

 - Is approved by a vote of the full Commission.

- Authorizes ACJC to conduct a comprehensive survey of data contained in criminal justice records systems housed at local and state criminal justice agencies to create a data inventory report.

- Provide the data inventory report to the Governor and Legislature that also includes cost estimates for ACJC to implementation of a statewide criminal justice data reporting system.

Throughout the legislative process, staff worked to keep the bill as simple as possible in order to complete the survey of criminal justice agencies as a first step to understanding what data systems are currently being utilized in the state and what is needed to bring this information into one framework. Ultimately it is ACJC's goal to provide the necessary planning and framework for Arizona to become a national leader in the collection and reporting of criminal justice data. We are happy to report that HB2166 passed both the House (59 Y, 1NV) and the Senate (27Y, 3NV), and signed into law on March 24, 2021.

ACJC, in partnership with the Administrative Office of the Courts introduced HB2158. HB2158 is the Protective Orders; Central Repository; Notification bill. This bill was a necessary fix for the recently launched AZPOINT system. The bill passed both the House (55Y, 4N, 1NV) and the Senate (unanimously) and signed into law on April 20, 2021.

Also, ACJC proposed additional members be added to the Commission in HB2260. HB2260 was the Arizona Criminal Justice Commission; Membership bill. An amendment was added in committee that was not approved by the Commission and unfortunately could not be negotiated with the sponsor. Therefore the bill did not make it out of the Senate.

Finally, ACJC requested that funding for the State Aid to Indigent Defense Fund not be redirected to other purposes. After a number of discussions with the Governor's Office, we are pleased to announce that the State Aid to Indigent Defense funding will be allowed to flow to ACJC for their statutory purposes and fund indigent defense at the county level.

HB2168: Use of Force; Reports; Analysis

Law enforcement agencies are required to collect and report "use-of-force incidents" (defined) involving law enforcement officers to the Arizona Criminal Justice Commission beginning January 1, 2022 and at least annually after. The Commission is required to establish procedures governing the collection and reporting of use-of-force incident data that are consistent with the requirements of the "national use-of-force data collection" (defined) established by the Federal Bureau of Investigation. The Commission is required to publish the data reported during the immediate past year beginning March 1, 2023 and by March 1 of each year after, in a publicly available database. By January 1, 2025, the Commission is required to conduct an analysis of law enforcement agency use-of-force rates and release the analysis to the public. The Commission is required to update this analysis at least once every five years. Effective January 1, 2022

HB2178 : Theft by Extortion; Defense

It is a defense to prosecution to theft by extortion by knowingly obtaining or seeking to obtain property or services by means of a threat to bring criminal charges, expose a secret or take or withhold action as a public servant that a reasonable person would believe that the property or services were obtained by the threat of a reasonable action, instead of that the property was lawfully claimed as compensation, restitution or indemnification.

HB2186 : Prosecution; Deferred; Diverted

The county attorney is no longer prohibited from diverting or deferring the prosecution of a person who has been previously convicted of a serious offense, a sexual offense, a dangerous offense, or a dangerous crime against children, or who has been convicted three or more times of either personal possession of a controlled substance or personal possession of drug paraphernalia.

HB 2295: Law Enforcement Officers; Database

A "prosecuting agency" (defined) is prohibited from placing a law enforcement officer's name in a "rule 15.1 database" (defined) unless the officer is given at least 10 days prior written notice by mail or email to the officer's current or last known employment address. Information that must be included in the written notice is listed, including information on the right to request reconsideration of the allegations and placement in the database. If an officer submits a request for reconsideration, and the reconsideration is approved on its merits, the officer's name must be removed from the database.

HB2810: Civil Asset Forfeiture; Conviction; Procedures

The list of property subject to seizure and forfeiture is modified to require the proceeds to be traceable to an offense that resulted in a criminal conviction. Property is subject to forfeiture only if the owner is convicted of an offense to which forfeiture applies and the state establishes by clear and convincing evidence that the property is subject to forfeiture. The state is prohibited from proceeding with further forfeiture proceedings before a criminal conviction for an offense to which forfeiture applies unless no timely claims for the seized property were filed or the court waived the conviction requirement. After a person is convicted of an offense for which forfeiture applies, the court may order the person to forfeit property acquired through the commission of the offense, property directly traceable to property acquired through the commission of the offense, and property the person used in the commission of the offense or to facilitate the offense. Establishes circumstances under which the court is allowed to waive the conviction requirement.



PROMOTIONS
ACJC Staff on the move!



Dorinda Johns
Senior Grants
Coordinator

We are pleased to announce that Dorinda Johns has been promoted from Grants Coordinator to Senior Grants Coordinator. She has been with ACJC since 2016.

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